IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NOTICE OF MOTION NO.13 OF 2007
IN
INSOLVENCY PETITION NO.24 OF 1952

Re: Jugalkishore D. Saksaria (deceased)... Insolvent

Exparte:

Jaswantlal Manilal Shah .. Petitioning Creditor

vs.
Brijkishore J. Saksaria .. Appliant

Mr.K.J.Somane for the applicant.

Mr.Y.C. Parikh, Official Assignee present.

CORAM : ANOOP V. MOHTA,J.

DATED : 3rd April, 2007

P.C.

By an order dated 6.2.2007, as the applicant has expressed his willingness to deposit the amount towards the entire liability of the insolvent with interest with the Official Assignee, the Official Assignee therefore was directed to submit a report. By the report dated 15.2.2007 the Official Assignee has expressed no objection for annulment of the order of adjudication passed by this Court on the ground of full payment as contemplated under Section 21(1) of the Presidency Town Insolvency Act, 1909. The indemnity bond in favour of the Official Assignee is also filed. In view of this, notice of motion is made absolute in terms of prayer clause (a) which reads thus:

(a) That the order of adjudication passed against the insolvent abovenamed viz.. Jugalkishore Dwarkadas Seksaria by the Hon'ble the Insolvency Court on 18th June, 1953 may be annulled under Section 21(1) of the P.T.I.Act, 1909 on the ground of full payment.

[ANOOP V. MOHTA,J.]